

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENDELL R. NEWKIRK,

Defendant.

Case No. 19-CR-248-7-JPS

**ORDER**

On June 2, 2020, the parties filed a plea agreement, indicating that Defendant had agreed to plead guilty to Count One of the Information. The parties appeared via video conference before Magistrate Judge Nancy Joseph on July 6, 2020 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #167). Defendant entered a plea of guilty as to Count One charged in the Information. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #167 and #168).

Thereafter, Magistrate Judge Joseph filed a Report and Recommendation with this Court, recommending that: (1) the defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) the defendant be adjudicated guilty and have a sentence imposed accordingly. (Docket #168). Pursuant to General L. R. 72(c) (E.D. Wis.), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Criminal Procedure 59(b) or 72(b) if applicable, the parties were advised that written objections

to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation.

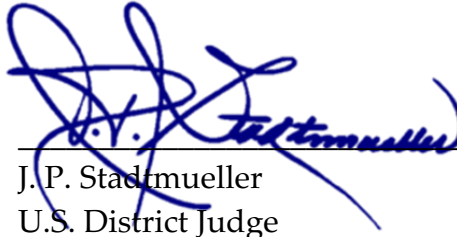
To date, no party has filed such an objection. The Court has considered Magistrate Judge Joseph's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

**IT IS ORDERED** that Magistrate Judge Nancy Joseph's report and recommendation (Docket #168) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 15th day of October, 2020.

BY THE COURT:



J. P. Stadtmueller  
U.S. District Judge